



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
07/011,024	02/05/87	FIENE	D 635P004

WALLENSTEIN, WAGNER, HATTIS,  
STRAMPEL & AUBEL  
100 S. WACKER STE. 2100  
CHICAGO, IL 60606

EXAMINER	
JACKSON, J	
ART UNIT	PAPER NUMBER
268	10

DATE MAILED:

01/31/89

This is a communication from the examiner in charge of your application.

COMMISSIONER OF PATENTS AND TRADEMARKS

This application has been examined  Responsive to communication filed on 11/9/88  This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s),        days from the date of this letter.  
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1.  Notice of References Cited by Examiner, PTO-892. 2.  Notice re Patent Drawing, PTO-948.  
3.  Notice of Art Cited by Applicant, PTO-1449 4.  Notice of informal Patent Application, Form PTO-152  
5.  Information on How to Effect Drawing Changes, PTO-1474 6.

Part II SUMMARY OF ACTION

1.  Claims 1-18 are pending in the application.

Of the above, claims \_\_\_\_\_ are withdrawn from consideration.

2.  Claims \_\_\_\_\_ have been cancelled.

3.  Claims 1-14 are allowed.

4.  Claims 15 are rejected.

5.  Claims 16-18 are objected to.

6.  Claims \_\_\_\_\_ are subject to restriction or election requirement.

7.  This application has been filed with informal drawings which are acceptable for examination purposes until such time as allowable subject matter is indicated.

8.  Allowable subject matter having been indicated, formal drawings are required in response to this Office action.

9.  The corrected or substitute drawings have been received on \_\_\_\_\_. These drawings are  acceptable;  not acceptable (see explanation).

10.  The  proposed drawing correction and/or the  proposed additional or substitute sheet(s) of drawings, filed on \_\_\_\_\_ has (have) been  approved by the examiner.  disapproved by the examiner (see explanation).

11.  The proposed drawing correction, filed \_\_\_\_\_, has been  approved.  disapproved (see explanation). However, the Patent and Trademark Office no longer makes drawing changes. It is now applicant's responsibility to ensure that the drawings are corrected. Corrections MUST be effected in accordance with the instructions set forth on the attached letter "INFORMATION ON HOW TO EFFECT DRAWING CHANGES", PTO-1474.

12.  Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has  been received  not been received

been filed in parent application, serial no. \_\_\_\_\_; filed on \_\_\_\_\_.

13.  Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14.  Other

1. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.
2. The text of those sections of Title 35, U. S. Code not included in this action are found in a prior Office action.
3. Claim 15 is rejected under 35 U.S.C. 103 as being unpatentable over Schneider et al.

Schneider discloses an A.C. powered smoke detector with continuous back-up battery supervision. Figure 1 shows leads which connect the back-up battery 44 with test load 102, 104, 106. PUT 108 compares the battery's voltage as measured from potentiometer 102 with the minimum reference voltage from zener diode 98. See column 6 lines 8-37. Though Schneider does not disclose a switch means for disabling the power from the transformer 26 and rectifier bridge, it would have been obvious to one of ordinary skill in the art to use a switch between the power supply and the detector circuitry in order to turn the system on and off since electronic devices using On/Off switches are a matter of common knowledge and well known in the art.

4. Claims 16-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
5. Claims 1-14 are allowable over the prior art of record.
6. Regarding the applicant's Response, claim 15 does not recite the "momentary loading with a heavy load resistance...[which] is activated by a test load switch...[that] acts to disconnect the

D.C. power supply to the system." These features are recited in dependent claims 16-18 which are objected to but which would be allowable if combined with claim 15.

Schneider's resistors 102, 104, 106 comprise a load which is used to test the battery's voltage. Therefore, these resistors are a test load. Whether or not they continuously sense battery voltage is a moot point since such a limitation is not recited. Concerning the applicant's arguement on page 2 lines 18-21, it is unclear how Schneider's detecting low battery voltage levels using a large resistance that minimizes the load on the battery is "the opposite of a test load."

Regarding the applicants remarks on page 2 lines 21-26, claim 15 does not recite that the battery voltage detection system is tested across the system. Furthermore, it is unclear what is meant by this limitation (ie. across which system is the detection system tested?). Schneider's back-up battery voltage detection circuitry 20 is connected across the smoke detector circuitry through resistor 100.

7. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). The practice of automatically extending the shortened statutory period an additional month upon the filing of a timely first response to a final rejection has been discontinued by the Office. See 1021 TMOG 35.

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 CFR 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

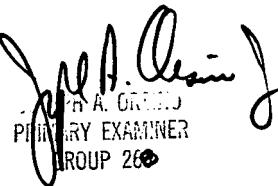
SERIAL NO. 011,024

-4-

ART UNIT 268

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jill D. Jackson whose telephone number is (703) 557-8187.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 557-3321.

  
JILL D. JACKSON  
PRIMARY EXAMINER  
GROUP 268

 JD Jackson:jdj

703-557-8187

01-24-89